



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/723,402	11/28/2000	Tina M. Nocera	0015.10	6268

7590 10/19/2004

Ernest D. Buff  
Ernest D. Buff & Associates, LLC  
245 South Street  
Morristown, NJ 07960

EXAMINER

SUBRAMANIAN, NARAYANSWAMY

ART UNIT	PAPER NUMBER
----------	--------------

3624

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/723,402

**Applicant(s)**

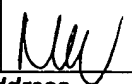
NOCERA ET AL.

**Examiner**

Narayanswamy Subramanian

**Art Unit**

3624



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-34 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. This office action is in response to applicant's communications filed on June 14, 2004. Claims 1-34 are currently pending. Claims 1-34 are subject to restriction as discussed below.

***Election/Restrictions***

2. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-18, 21, 22, 24-26 and 30-31, drawn to methods of providing to a user a plurality of answer-options to an issue-question relating to personal finance and investment, the methods including the steps of identifying and storing in the memory storage device a plurality of topics relating to personal investment and finance; developing and storing in the memory storage device a plurality of issue-questions directed to each of the stored topics; and developing and storing in the memory storage device an expert opinion for each issue-question, classified in class 705, subclass 36.

- II. Claims 19-20, drawn to a method of providing to a user a plurality of answer-options comprised of an expert opinion and a prudent-investor opinion, the method including the steps of constructing an input mask by entering, by the user via the input device, a variable criterion; identifying a plurality of issue-questions that satisfy the variable criterion using the input mask; and identifying a plurality of answer-options to the identified issue-questions, classified in class 705, subclass 36.

- III. Claim 23, drawn to a method of providing to a user a plurality of answer-options comprised of an expert opinion and a prudent-investor opinion on an issue-question, the method including the steps of submitting an issue-question in free-form, by the user via the input device; and editing the issue-question for proper grammar and form, classified in class 705, subclass 36.

IV. Claims 27-29 and 32-34, drawn to methods of providing to a user a plurality of answer-options comprised of an expert opinion and a prudent-investor opinion on an issue-question, the methods including the step of attempting to match at least one stored issue-question with the submitted question, using in combination Bayesian inference and information theory, classified in class 705, subclass 36.

The inventions are distinct, each from the other because of the following reasons:

3. Inventions I and II are related as sub combinations disclosed as usable together in a single combination. The sub combinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I relates to methods of providing to a user a plurality of answer-options to an issue-question relating to personal finance and investment, the methods including the steps of identifying and storing in the memory storage device a plurality of topics relating to personal investment and finance; developing and storing in the memory storage device a plurality of issue-questions directed to each of the stored topics; and developing and storing in the memory storage device an expert opinion for each issue-question, whereas invention II relates to a method of providing to a user a plurality of answer-options comprised of an expert opinion and a prudent-investor opinion, the method including the steps of constructing an input mask by entering, by the user via the input device, a variable criterion; identifying a plurality of issue-questions that satisfy the variable criterion using the input mask; and identifying a plurality of answer-options to the identified issue-questions. Clearly the step present in one method is not present in the other making the two methods distinct and different. See MPEP § 806.05(d). Because these inventions are distinct for the reasons given above and the

search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper even though they are both classified in the same class and subclass.

Inventions I and III are related as sub combinations disclosed as usable together in a single combination. The sub combinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I relates to methods of providing to a user a plurality of answer-options to an issue-question relating to personal finance and investment, the methods including the steps of identifying and storing in the memory storage device a plurality of topics relating to personal investment and finance; developing and storing in the memory storage device a plurality of issue-questions directed to each of the stored topics; and developing and storing in the memory storage device an expert opinion for each issue-question, whereas invention III relates to a method of providing to a user a plurality of answer-options comprised of an expert opinion and a prudent-investor opinion on an issue-question, the method including the steps of submitting an issue-question in free-form, by the user via the input device; and editing the issue-question for proper grammar and form. Clearly the step present in one method is not present in the other making the two methods distinct and different. See MPEP § 806.05(d). Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group III, restriction for examination purposes as indicated is proper even though they are both classified in the same class and subclass.

Inventions I and IV are related as sub combinations disclosed as usable together in a single combination. The sub combinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I relates to methods of providing to a user a plurality of answer-options to an issue-question relating to personal finance and investment, the

Art Unit: 3624

methods including the steps of identifying and storing in the memory storage device a plurality of topics relating to personal investment and finance; developing and storing in the memory storage device a plurality of issue-questions directed to each of the stored topics; and developing and storing in the memory storage device an expert opinion for each issue-question, whereas invention IV relates to methods of providing to a user a plurality of answer-options comprised of an expert opinion and a prudent-investor opinion on an issue-question, the methods including the step of attempting to match at least one stored issue-question with the submitted question, using in combination Bayesian inference and information theory. Clearly the step present in one method is not present in the other making the two methods distinct and different. See MPEP § 806.05(d). Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group IV, restriction for examination purposes as indicated is proper even though they are both classified in the same class and subclass.

Similarly other pairing of inventions stated above are related as sub combinations disclosed as usable together in a single combination. These inventions are distinct from each other as can be evident from the definition of the groups described above. Also they require separate searches and hence restriction of these inventions for examination purposes as indicated is proper.

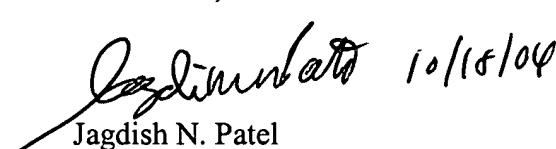
4. A telephone call was made to Mr. Roger H. Criss on October 13, 2004, to request an oral election to the above restriction requirement. Attorney Ernest D. Buff, who answered the call, informed the Examiner that he would make an election after consulting with the applicants.

Art Unit: 3624

5. Applicants are advised that reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Narayanswamy Subramanian whose telephone number is (703) 305-4878. The examiner can normally be reached Monday-Thursday from 8:30 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached at (703) 308-1065. The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 3600 or this Art Unit is (703) 305-7687. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113.

N. Subramanian  
October 14, 2004

 10/15/04  
Jagdish N. Patel  
Primary Examiner